

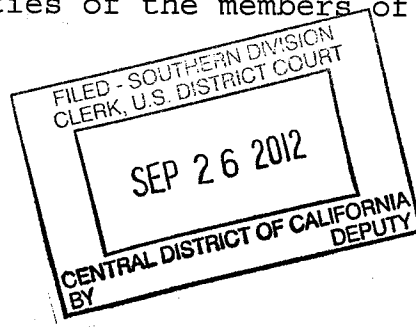
UNITED STATES DISTRICT COURT	CENTRAL DISTRICT OF CALIFORNIA
UNITED STATES OF AMERICA v. ARASH DURRANI	DOCKET NO. MAGISTRATE'S CASE NO. SA12-464M

Complaint for violation of Title 49, United States Code, Section 46504.

NAME OF MAGISTRATE JUDGE HONORABLE JEAN P. ROSENBLUTH		UNITED STATES MAGISTRATE JUDGE	LOCATION SANTA ANA, CA
DATE OF OFFENSE September 25, 2012	PLACE OF OFFENSE ORANGE COUNTY	ADDRESS OF ACCUSED (IF KNOWN)	

COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:

On or about September 25, 2012, on board United Airlines Flight Number 473 flying from Chicago O'Hare International Airport to John Wayne International Airport, in Orange County, within the Central District of California, ARASH DURRANI interfered with the performance of the duties of the members of the flight crew in violation of 49 U.S.C. § 46504.



BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:

(See attached affidavit which is incorporated as part of this Complaint)

MATERIAL WITNESSES IN RELATION TO THIS CHARGE:

Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.

SIGNATURE OF COMPLAINANT

JAMES F. FINNEGAN /s/

OFFICIAL TITLE

SPECIAL AGENT

FEDERAL BUREAU OF INVESTIGATIONS

Sworn to before me and subscribed in my presence,

SIGNATURE OF MAGISTRATE JUDGE(1)

JEAN P. ROSENBLUTH

DATE

September 26, 2012

1) See Federal Rules of Criminal Procedure rules 3 and 54.

ALW:cp REC:Detention

AFFIDAVIT

I, James F. Finnegan, being duly sworn, hereby declare and say as follows:

I.

INTRODUCTION

1. I am a Special Agent ("SA") of the Federal Bureau of Investigation ("FBI") and have been so employed since February 2006. I am currently assigned to the Los Angeles Field Office, Orange County Resident Agency ("OCRA"), Orange, California, to a squad that investigates domestic terrorism and aviation related crimes. I have worked in the domestic terrorism field since January 2011.

2. Prior to becoming an agent, I completed the FBI New Agents Training Academy in Quantico, Virginia, an 18-week intensive federal law enforcement training and investigations program. FBI training focuses on, among other things: confidential source management, interviews of suspects and defendants, report writing, physical and electronic surveillance techniques, tactics, evidence collection, preparation in writing and the service of arrest and search warrants, the identification of various drugs, and investigating all federal statutes. After graduation, I was assigned to the FBI Los Angeles Division Office where I participated in multiple narcotics and organized crime

investigations, buy/bust operations, numerous surveillances, and the service of arrest and search warrants. Since my arrival at the OCRA in January 2011, I successfully completed selection and training to become a SWAT operator and was assigned the additional duty as Airport Liaison Agent ("ALA") for John Wayne International Airport located in Orange County, California. I have participated in investigations involving domestic terrorism groups and individuals, white supremacist extremists, sovereign citizen extremists, lone offenders, numerous surveillance operations, and numerous arrests and search warrant services, and I have responded to several calls for assistance at John Wayne International Airport as part of my duties as ALA. Some of the investigations conducted as part of my duties as ALA include security screening checkpoint violations, bomb threats at the airport, wanted airport employees, fugitive arrests and surrenders, Operation Friendly Skies, and any and all crimes committed on board aircraft operating within the United States.

3. Through my training, experience, and interaction with other federal, state, and local law enforcement agencies, particularly those agencies working at U.S. airports and conducting aviation-related criminal investigations, I have thorough knowledge and experience investigating criminal acts committed on board U.S. aircraft. Additionally, as a former

United States Marine Corps Aviator (pilot), and possessing a Federal Aviation Administration ("FAA") commercial pilot's license, I have an outstanding knowledge of aviation-related crimes and the critical importance of the rules involving commercial aircraft operating within the United States.

II.

PURPOSE OF THE AFFIDAVIT

4. This affidavit is made in support of a criminal complaint against ARASH DURRANI ("DURRANI") for violations of Title 49, United States Code, Section 46504 (interference with flight crew members and attendants).

5. This affidavit is made for the sole purpose of demonstrating probable cause for the issuance of the requested complaint and does not purport to set forth all of my knowledge of this investigation.

III.

PROBABLE CAUSE

Summary of the Investigation

6. On September 25, 2012, on board United Airlines Flight Number 473 flying from Chicago O'Hare International Airport ("ORD") to John Wayne International Airport ("SNA"), DURRANI interfered with the performance of the duties of the members of the flight crew in violation of 49 U.S.C. § 46504.

7. United Flight 473, an Airbus A320 twin engine jet aircraft licensed to operate in the airspace of the United States of America, departed ORD at 2050 Central Daylight Time and climbed to an altitude of 39,000 feet while flying to SNA at 430 knots. Approximately one hour into the flight, DURRANI became extremely belligerent, uncooperative, and violent toward the aircrew and passengers and refused to remain in his assigned seat as directed by the flight crew.

8. Ultimately, as a result of DURRANI's lack of cooperation and failure to follow the instructions of the flight crew, and fearing for the safety of the passengers and flight crew, fellow passengers had to physically restrain DURRANI in order to maintain the safety of the aircraft, aircrew, and passengers.

DURRANI Interferes with Flight Crew

9. ~~According to~~ flight crew members Josette LNU, Rick LNU, and Julie LNU (collectively, the "flight crew")^{told me that}, DURRANI first became uncooperative during the taxi phase of the flight in ORD. During the safety presentation of the flight, DURRANI left his seat and walked toward the first class section and cockpit, causing the flight crew to interrupt the FAA-required safety brief.

10. Once back in his seat, DURRANI refused to turn off his cell phone for several minutes after being instructed to do so by the flight crew.

11. While the aircraft was in flight, DURRANI continued to harass and bother the flight crew by repeatedly asking for more alcoholic beverages. Additionally, DURRANI harassed the female members of the flight crew and several female passengers. At one point, DURRANI asked a female passenger if she wanted to sit on his lap and offered drugs to the same female passenger. Following this attempt to engage the female passenger, DURRANI grabbed his backpack and started walking toward the front (cockpit) area of the aircraft yelling, "I want to go home now." At this point, the flight crew "begged and pleaded" with DURRANI to return to his seat. DURRANI reluctantly returned to his seat, continuing his verbal and abusive behavior.

12. DURRANI then approached the rear of the aircraft, and became increasingly belligerent toward the flight crew when they refused to serve him alcohol. DURRANI started screaming, "I'm from Afghanistan and I will murder all of you." At this point, passenger Chris Long ("Long") told DURRANI to "go sit down." In response, DURRANI sat down across from Long, reached over and knocked Long's soda off the tray table, pointed his finger in Long's face, and threatened to "kick [Long's] fucking ass." Long

remained calm in an attempt to de-escalate the situation, and DURRANI started to move back to his seat. However, DURRANI then stopped, remained in the vicinity of passenger Long, and continued to ignore and refuse the flight crew's instructions to sit down.

13. The flight crew informed the cockpit (Captain) of the situation, which prompted the Captain to notify Air Traffic Control ("ATC") that he had a Level 2 Disturbance (physically abusive behavior) on board his aircraft.

Fellow Passengers Restrain DURRANI

14. At this point, fellow passengers assisted in restraining DURRANI. During the struggle, DURRANI bit two of the passengers and screamed, "I'll murder all of you guys!" In an effort to calm him down, and after consultation with the Captain, two medical doctors on board the flight, identified as Dr. Greg Buchert and Dr. Margarita Pereyda, administered an intra-muscular injection of Diazepam to DURRANI.

15. The Captain notified ATC that DURRANI was restrained and requested law enforcement presence at the arrival airport (SNA) to assist with removing DURRANI from the plane.

September 26, 2012 Probable Cause Arrest of DURRANI

16. At approximately 2226 Pacific Daylight Time, United Airlines Flight 473 landed without further incident at SNA.

DURRANI was taken into custody by Orange County Sheriff's Deputies for an outstanding arrest warrant issued in Los Angeles County, California on October 24, 2011. DURRANI was treated by local Orange County Fire Authority Paramedics and transported in custody to Hoag Hospital, Irvine, California.

17. On September 26, 2012, Federal Task Force Officer ("TFO") Jeff Cole and I, based on the statements made by the flight crew and passengers of United Flight 473, arrested DURRANI at Hoag Hospital, Irvine, California. At approximately 0100 a.m., while laying on a bed inside the emergency room at Hoag Hospital, TFO Cole and I arrested DURRANI and advised him of his Miranda Rights.

IV.

CONCLUSION

18. Based on the foregoing facts and my training and experience, I believe there is probable cause to believe that ARASH DURRANI has violated Title 49, United States Code, Section 46504 (interference with flight crew members and attendants).

15/
James Finnegan
Special Agent, FBI

Subscribed and sworn to before me
this 26th day of September, 2012.

JEAN P. ROSENBLUTH

UNITED STATES MAGISTRATE JUDGE